

**REMARKS**

Claims 75-96 are currently pending in the subject application and are presently under consideration. Claims 1-74, 93 and 94 stand withdrawn. Claims 75, 95, and 96 have been amended and claim 83 is cancelled as shown at pp. 2-5 of the Reply.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein. Specifically, the claims as amended are believed to be allowable over the reference cited in the Final Office Action dated April 22, 2005 and the Appeal Brief. In particular, independent claim 75, as amended, in part recites *a positioning system that determines a position of the terminal*. Similar limitations of “determining current location of the terminal, the current location determined based at least in part by establishing which access points was in communication with the terminal or a simple geometric positioning system,” “means for determining location of the computer terminal, the location determined based at least in part by establishing which product access zone was in communication with the terminal or a simple geometric positioning system,” are recited in independent claims 95 and 96. Such a positioning system would allow broadcasts to the terminal to be dependent upon the customer's position as established by the positioning system rather than as determined by the location of the closest access point. The cited reference, alone or in combination, fail to disclose or suggest such novel features of the claimed invention.

Additionally, independent claim 75 (and similarly claims 95 and 96), as amended, recites a display that presents an image of the one or more products to be accessed by the user, the image is based at least in part upon the wireless signal, *the displayed image indicates location of the product with respect to the current detected position of the terminal*. The cited references do not disclose, anticipate, or suggest these aspects, alone or in combination either.

**CONCLUSION**

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [SYMBP188US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN & TUROCY, LLP

/Himanshu S. Amin/

Himanshu S. Amin

Reg. No. 40,894

AMIN & TUROCY, LLP  
24<sup>TH</sup> Floor, National City Center  
1900 E. 9<sup>TH</sup> Street  
Cleveland, Ohio 44114  
Telephone (216) 696-8730  
Facsimile (216) 696-8731